IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.4905 OF 2005

Pankaj Pandurang Chaware. ... Applicant.

Versus.

State of Maharahstra. ... Respondent.

Shri G.R.Sharma for the Applicant.

Shri A.S.Gadkari, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 10th August, 2005.

P.C.:

1. Heard the learned Counsel for the Applicant and the learned A.P.P. for the State.

2. The learned Counsel for the Applicant submitted that no specific role has been ascribed to the Applicant in the commission of the alleged offence under section 302 of the Indian Penal Code. He submitted that the F.I.R. discloses that the Applicant was standing at the time of the incident with a stick in his hand. He submitted that the Applicant is entitled to be enlarged on bail.

3. Shri Gadkari, the learned A.P.P. appearing for the State stated that within a period of 15 days from today, the investigation will be completed and within a period of maximum of three weeks from today, the charge sheet will be filed. The statement is accepted. He pointed out the material collected during the investigation

against the Applicant which shows involvement of the Applicant in the crime.

4. I have considered the submissions. The F.I.R. is filed by one Shri Jadhav who is stated to be a friend of the victim. In the F.I.R. the complainant stated that all the persons present at the spot assaulted the deceased Mangesh by using sticks, wooden logs, and cricket bats. Considering the material collected during investigation, this is not a case where the Applicant can be enlarged on bail even before completion of investigation. Hence the Application is rejected.

Judge.